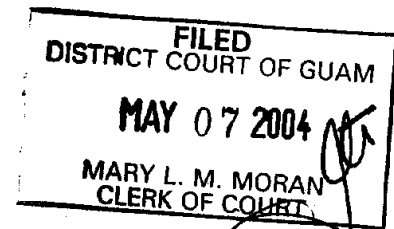


1 **MUN SU PARK, ESQ.**
2 **LAW OFFICE OF PARK**
3 East-West Business Center, Suite 113
4 744 N. Marine Drive
5 Tumon, Guam 96913
6 Tel: (671) 647-1200
7 Fax: (671) 647-1211
8 Counsel for Plaintiff PEOPLE HOLDINGS CO., LTD



6 **IN THE UNITED STATES**
7 **DISTRICT COURT OF GUAM**
8 **TERRITORY OF GUAM**

8 PEOPLE HOLDINGS CO., LTD.,) Civil Case No.03-00034
9)
10 Plaintiff,)
11 vs.) **PLAINTIFF'S RESPONSE TO**
12) **ORDER TO SHOW CAUSE**
13 SUN Y. WAKUGAWA and KOWON)
14 SHIPPING CORP.)
15 Defendants.)

14 Plaintiff PEOPLE HOLDINGS CO., LTD., hereby responds to Order to Show Cause why
15 this instant case should not be dismissed for failure to prosecute as follows:

16 1. On April 12, 2004, the parties were ordered to submit a proposed Scheduling Order
17 and Discovery Plan by April 20, 2004.

18 2. I, counsel for plaintiff, was off-island from April 8, 2004 through April 20, 2004,
19 because my wife in Korea was about to deliver a baby during that period. I filed one copy of off-
20 island notice to Chief Judge, District Court of Guam for this matter.

21 3. As soon as I returned to Guam, I believe I picked up the order at clerk's office in the
22 afternoon of April 20, 2004.

23 4. For this reason, until April 20, 2004, I was not aware that I was ordered to submit
24 a proposed Scheduling Order and Discovery Plan by that day.

25 5. I have been concerned about the need for judicial oversight over the progress of this-
26 captioned case, pursuant to FRCP 16(b).

27 //

28 //

ORIGINAL

1 **Response to Order to Show Cause**
2 **page two**

3
4 6. In this regard, on January 22, 2004, I drafted proposed Scheduling Order and sent
5 it to the Vandeveld Law offices, P.C.. (Exhibit __)

6 7. On February, 2004, my client, a company incorporated in Korea, was consulting with
7 attorneys in Korea about the litigation of this dispute in the Korean court. I had to be concerned
8 about the Korean side of litigation.

9 8. Under my initiative, both parties finally signed Scheduling Order and Discovery
10 Plan at Attorney Vandeveld's office on May 6, 2004. (Filed on May 7, 2004).

11 9. From now on, both parties will do their best for the orderly administration of justice.

12 10. I will be off island to see my newly-born baby from May 8, 2004 to May 16, 2004.

13
14
15 LAW OFFICE OF PARK
16 Counsel for Plaintiff PEOPLE HOLDINGS CO., LTD..

17 BY:


18 MUN SU PARK

19 Dated: May 7, 2004
20
21
22
23
24
25
26
27
28

1 **LAW OFFICE OF PARK**

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4 Counsel for Plaintiff PEOPLE HOLDINGS CO., LTD

5 **IN THE UNITED STATES**
6 **DISTRICT COURT OF GUAM**
7 **TERRITORY OF GUAM**

8 PEOPLE HOLDINGS CO., LTD.,)

Civil Case No. **03-00034**

9 Plaintiff,)

10 vs.)

SCHEDULING ORDER

11 SUN Y. WAKUGAWA and KOWON)
12 SHIPPING CORP.)

13 Defendants.)
14)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

13 Pursuant to Rules 16 and 26 (f) of the Federal Rules of Civil Procedure, and Rule 16.1 of
14 the Local Rules of Practice for the District Court of Guam, the parties hereby submit the following
15 Scheduling Order:

16 1. The nature of the case is as follows:

17 Breach of Contract, Diversity Action

18 2. The posture of the case is as follows:

19 a) The following motions are on file (pending):

20 None at this time

21 b) The following motions have been resolved:

22 Not applicable

23 c) The following formal discovery has been initiated:

24 3. No further parties or claims shall be added.

25 4. All Motions to amend pleadings shall be filed on or before:

26 The date has passed.

27 **Exhibit "1"**
28 **Page 3 of 5**

2 5. Status of Discovery:

3 The Discovery Plan (filed concurrently herewith) is adopted and incorporated as part
4 of this Scheduling Order.

5 6. The discovery cut-off date (defined as the last day to file responses to discovery) is
6 June 21, 2004.

7 7. a) The anticipated discovery motions are:

8 Plaintiff anticipates filing a motion for leave to serve additional Requests for
9 Admissions.

10 b) All discovery motions shall be filed on or before June 28, 2004. These
11 motions will be heard on or before July 23, 2004.

12 c) All dispositive motions shall be filed on or before July 23, 2004.

13 8. The prospects for settlement are:

14 Unknown at this time

15 9. The Preliminary Pretrial Conference shall be held on August 17, 2004 at 3:00 p.m.
16 (no later than 21 days prior to the trial date).

17 10. The parties' pretrial materials, discovery materials, witness lists, designations and
18 exhibits lists shall be filed on or before September 7, 2004 (no later than 14 days prior to Trial).

19 11. The Proposed Pretrial Order shall be filed on or before September 7, 2004 (no later
20 than 14 days prior to Trial).

21 12. The Final Pretrial Conference shall be held on August 26, 2004, at 3:00 p.m. (no
22 later than 7 days prior to Trial).

23 13. The Bench Trial shall be held on September 21, 2004 at 9:30 a.m.

24 14. The Plaintiff seeks a bench trial

25 15. It is anticipated that it will take two (2) or three (3) days to try this case.

2 16. The names of counsel in this case are:

3 Mun Su Park, Esq. For Plaintiff People Holdings Co., Ltd.

4 Curtis Van de Veld, Esq. For Defendants.

5 17. The Parties are amenable to submitting this case to a settlement conference.

6 18. The parties present the following suggestions for shortening trial:

7 None at this time

8 19. The following issues will affect the status or management of the case:

9 Unknown at this time.

10
11 Date: _____

12
13 **HONORABLE JOHN S. UNPINGCO**
14 **CHIEF JUDGE, DISTRICT COURT OF GUAM**

15
16
17 APPROVED AS TO FORM AND CONTENT:

18 Dated: January 22, 2004.

LAW OFFICE OF PARK

19 BY: _____
20 MUN SU PARK, ESQ.
21 Attorney for Plaintiff

22
23 Dated: January ____, 2004.

THE VANDELVELD LAW OFFICES, P.C.

24 BY: _____
25 CURTIS C. VAN DE VELD, ESQ.
26 Attorney for Defendants